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11. (U) Summary: The Government of Jordan (GOJ) has taken some positive steps recently to combat child labor, including the development of a national strategy to eliminate the worst forms of child labor. A number of existing laws seek to prevent child labor and provide punishments for those who exploit children; however, available legal remedies and the GOJ's capacity to implement and enforce child labor laws are not sufficient to adequately deter violations and punish violators. Several laws also require amendments to conform to Jordan's obligations under international labor conventions. The GOJ participates in several projects aimed at reducing child labor, including the provision of non-formal education to out-of-school youth. Estimates on the number of child workers vary greatly, but they are primarily found working as street vendors, mechanics, painters, and carpenters in the larger, more industrial cities of Amman, Zarqa, and Irbid and in agriculture. Civil society contacts believe that child labor has increased slightly in the past couple years due to a combination of high unemployment and inflation; however, there is some optimism among governmental and non-government organizations that the trend can be reversed. A strong reason for this optimism is the GOJ's active support of the new U.S. Department of Labor (DOL) child labor project, which aims to reduce the number of children from the worst forms of child labor in the near-term while strengthening capacity, technical skills, and coordination at the national level to combat child labor. End Summary.

Jordan's Child Labor Policy

12. (U) The GOJ has recognized the existence and problem of child labor and has developed a strategy to combat child labor. It also includes the elimination of the worst forms of child labor as a goal in other national platforms.

-- A National Strategy for the Elimination of the Worst Forms of Child Labor was developed in 2004 by the Ministry of Labor (MOL), with ILO support and in consultation with a range of stakeholders. The strategy analyzed the situation and suggested a range of measures. Implementation has been extremely weak, in part due to weaknesses in legislation, lack of government capacity, and lack of effective coordination among authorities.

--The Jordanian National Plan of Action (NPA) for Children

2004-2013 aims to eliminate the worst forms of child labor by 2014 and to decrease the number of all child laborers.

-- Jordan's National Agenda 2006-2015 reinforces the national child labor strategy by also including a goal to eliminate the worst forms of child labor. The National Agenda includes 500,000 JD (\$700,000) to combat child labor through labor inspections and vocational training centers offering free courses to 16-18 year olds.

-- A code of conduct to combat child labor was announced in July 2007 with support from both public and private sector representatives. The code, developed as part of the ILO program to combat child labor, highlights areas of concern, including health and safety hazards, and explains how employers can turn away fathers seeking employment for their children.

¶3. (U) Basic education is compulsory and free until the age of 16 (10th grade). The two years of secondary education are free but not compulsory. However, students must pay school fees every semester to cover the costs of uniforms, book, and some supplies. The fees are 20 JD (\$28) for primary, 30 JD (\$42) for secondary, and 40 JD (\$56) for vocational education. Local experts feel that opportunity costs for education combined with direct costs of school fees and additional school supplies creates a barrier for children of poor families, especially girls. (Note: Current overall primary attendance rates are 95 percent for primary and 75 for secondary. End Note) Children that have dropped out for three or more years are not allowed to return to school if they are 13 or older. Despite compulsory education, the law contains no penalties for parents whose children drop out of school.

Laws and Regulations Related to Child Labor

¶4. (U) No new laws or amendments were adopted in 2008 to address the issue of child labor, but a number of existing laws include articles relating to the prevention of child labor or the prosecution of offenders:

-- The labor law forbids employment for children under the age of 16, except as apprentices. Children under the age of 18 may not work for more than six hours continuously, between the hours of 8 pm and 6 am, or during weekends, religious celebrations, or national holidays. Children are also precluded from working in hazardous occupations, which include operating machinery, heavy lifting, and working in extreme temperatures. The definition of hazardous work dates to 1997, however, and needs updating to take into account the worst forms of child labor, such as forced labor conditions.

-- Article 5 of the Law of Service Personnel in the Armed Forces of 1972 stipulates that a person must be 16 years of age to be recruited into the military. In practice, the Armed Forces do not recruit individuals under the age of 18; however, this law must be amended to conform with the Optional Protocol to the Convention of the Rights of the Child, which Jordan ratified.

-- Article 4 of the Social Security Law stipulates that children working in the informal sector, tourism, and agriculture or assisting the family in domestic service are not included in social security.

--Article 310 of the Penal Code stipulates that having any type of unlawful sexual intercourse with a woman under 20 years of age is punishable up to three years in prison and a 50 JD (\$70) fine. (Note: Article 311 includes an up to three year prison term for procuring a female of any age. End Note) Trafficking-in-children is not specifically prohibited; however, Articles 287 and 291 outline punishments related to abduction of children with punishments up to 3 years in prison and 25 JD (\$35) fine. A comprehensive anti-trafficking law was approved by Cabinet in December 2008. The next step is for Parliament to vote on the draft law. (Ref B).

¶15. (U) Jordan endorsed ILO Convention 182 on the elimination of the worst forms of child labor in 2000; however, the MOL must update its current list of hazardous jobs to conform to the worst forms of child labor as stipulated in the convention. Jordan also ratified the Convention on the Rights of the Child in 1991, and in 1998, ILO Convention 138, which specifies the minimum working age for children.

Implementation and Enforcement of Regulations

¶16. (U) The GOJ's capacity to implement and enforce child labor laws is not currently sufficient to adequately deter violations; however, MOL officials have indicated that there are plans to address these deficiencies in the coming months.

--The MOL's Child Labor Unit (CLU) is tasked with coordinating government action regarding child labor, including the receipt and investigation of child labor complaints. The CLU, however, is currently staffed by one person, who is unable to direct labor inspections or coordinate efforts across ministries. The National Steering Committee for Combating Child Labor is not active, but the DOL child labor project plans to reintroduce this coordination mechanism.

--Each labor inspector is required to cover four areas during inspections; child labor, labor relations, occupation safety and health, and general labor situation. The MOL hired 60 additional labor inspectors in 2008 to bring the total to 140, and MOL officials have indicated that they plan to recruit 25 more inspectors in the next couple months. Inspectors are mandated to perform inspections covering all registered institutions regardless of the number of employees. (Note: Social security inspections exclude establishments where the majority of children are employed - those employing 5 workers or less and establishments in the informal sectors, such as agriculture, small family businesses and domestic services. End Note) Inspectors receive limited training on child labor, including identification, as part of their overall training.

--The Public Security Department (PSD) does not have any officers specifically assigned to investigate child labor, and they do not actively conduct any related investigations.

¶17. (U) MOL officials have indicated they are finalizing plans to restructure the inspectorate, which should result in enhanced child labor inspections. Currently, there are 21 labor offices country-wide that conduct inspections; however, all but three, must also perform other MOL functions, including related to the recruitment of Jordanian and foreign workers. The plan is to establish seven to nine regional inspection offices with the sole task of conducting inspections leaving the current labor offices to carry-out the other functions. Inspectors will also be instructed to set aside a couple of weeks each year to conduct only child labor inspections. The plan also calls for two additional workers in the CLU and a small child labor office to be created in each inspection office to better coordinate efforts.

¶18. (U) Legal remedies available to government entities are also not adequate to punish and deter violations.

--Article 77 of the labor law sets out a penalty of 500 dinars (\$700) for the illegal recruitment and employment of children. The fine is doubled if the offense is repeated.

--In a diplomatic note dated December 1, 2008, the Ministry of Foreign Affairs (MFA) informed Post that no child labor complaints have yet been received because Article 77 has not yet been "activated." Dr. Amin Wreidat, Head of the MOL Inspectorate Division, told Poloffs that complaints are not received, as neither the employer nor family, who depends on the child's income, would file a complaint.

--Some fines have been issued for child labor violations,

according to Dr. Wreidat; however, the MOL is unable to provide the number of citations or the total amount of fines because records are not computerized. The \$2.7 million, 5-year USAID-funded Better Work Program intends to help the inspectorate install new software that will allow for tracking by type of violation.

--Inspectors often handle child labor cases informally instead of issuing fines. Dr. Wreidat told Poloffs that the law needs to be amended to offer positive solutions not just negative punishments. He said that if a fine is issued, the employer would only be out a small amount of money but the child and his/her family would suffer from the loss of income. As a result, inspectors reportedly attempted to remove the child from dangerous work, seek agreements with the employer to continue the child's education, or find other positive solutions and alternatives to loss of income.

Social Programming

¶9. (U) The GOJ supports several initiatives aimed at reducing child labor. Questscope, working with the Ministries of Education (MOE), Social Development (MOSD), and Labor and with support of multiple donors, continues to be the primary organization in Jordan working to eliminate child labor by providing education opportunities and mentoring to out-of-school youth:

--Non-formal Education (NFE) Program: The program, launched in 2004, gives out-of-school youth the opportunity to earn a 10th grade equivalent certificate, which is a requirement for applicants to vocational school. The NFE course is divided into three, eight-month levels of instruction. The student must pass a proficiency exam before moving to the next level. There are currently 3,000 children attending 36 NFE centers across Jordan, and the DOL child labor project will form 10 more centers and improve 10 existing centers. The MOE has approved NFE as an official education curriculum, and MOE officials have indicated a commitment to taking over their operation. The MOE is currently operating 13 of the 36 centers. This and Questscope's other programs are also serving Iraqi children.

--Informal Education Program: The first level of NFE instruction can be completed through a community-based organization (CBO). Questscope has trained seven CBOs to teach reading, writing, math, and other basic courses. The DOL project will increase the number to 23. After finishing the informal education instruction, a child can enter the second level of NFE instruction upon passing a proficiency exam. The Greater Amman Municipality (GAM) has provided municipal facilities for the CBOs to conduct the classes.

--Mentoring Program: Since 1998, Questscope has implemented a program to match out-of-school youth with adult mentors. The mentor and child meet regularly for one-on-one meetings as well as recreational and education opportunities. To date, 3,200 volunteer mentors have been trained with 3,100 boys and girls mentored.

¶10. (U) The Social Safety Center in Sahab, established by the Jordanian Hashemite Fund for Human Development (JOHUD) in 2005, provides non-formal education to working children between the ages of 13 and 15. The center also provides remedial classes to struggling students to keep them from dropping out of school. Five hundred students are enrolled but the center's director, Nihaya Dabdoub, states that more than 1,500 drop-outs are on a waiting list. The project is implemented in coordination with the GAM, the MOL, MOE, and the local community and employers. The MOE identified nearly 2,500 drop-outs in Sahab between 2005 and 2007 and, with the help of labor inspectors, the center was able to locate most of the students. The center is operating beyond capacity with a two-shift system (girls in the morning and boys in the afternoon) and is need of larger facilities, including five classrooms and a bigger computer lab.

¶11. (U) The Information and Resource Center (IRC) of the King Hussein Foundation was established by Queen Noor as the National Task Force for Children. Based on child labor research, the IRC launched a project in 2007 that provides training for CBOs in five targeted communities to address the needs of child laborers and provide interventions to address child labor. The project receives funding from the EU.

¶12. (U) The National Aid Fund (NAF), which operates Jordan's cash assistance programs, does not specifically target families of working children, although it does assist families that might be highly susceptible to child labor due to their poor economic situation. The fund operates several programs to support the needy such as the Recurrent Cash Assistance Program to assist certain categories of people, including families of widows, inmates, and estranged women, and the Emergency and Exceptional Program to assist the poor in times of specific need, such as illness or death of a family member, during Ramadan, and beginning of school year.

¶13. (U) The MOSD operates an anti-vagrancy campaign to decrease the number of beggars, including child beggars. Child beggars are vulnerable to exploitation by their parents and those wanting to hire them. Detained children must be picked up by a parent, who must sign an agreement that their children will no longer beg. Fines and penalties are not given to parents but, if they receive NAF assistance, their assistance can be stopped.

The Child Labor Problem in Jordan

¶14. (U) Estimates of the number of working children (ages five to 17) vary significantly from around 30,000 to nearly 100,000. The Department of Statistics (DOS) calculated the number to be 32,676, of which 36 percent worked in mechanical repair, 27 percent in agriculture, 8 percent in construction, and 4 percent in hotels and restaurants. The survey also stated that 32 percent lived in Amman, 89 percent were males, and 91 percent were Jordanian citizens. (Note: The survey was conducted in early 2008 but full results have not yet been released). In April, the National Center for Human Rights estimated the number to be approximately 50,000. Several activists working on child labor issues told Poloff that these estimates are too low and did not adequately capture reality by failing to survey businesses fully or account for families that hide the fact their children work. Questscope also disagrees with official numbers and uses the number of school-age dropouts, around 90,000, as an indication of how many children are at least partially employed. The students have pointed to the type of professions (street vendors, carpenters, painters, agriculture, and mechanics) and cities (Amman, Zarqa, and Irbid) where child labor is more prevalent.

¶15. (U) Economic hardship is seen to be the primary contributing factor to child labor along with the quality of education. In fact, 66 percent of respondents in the DOS survey said a working child was contributing to the overall household income and 38 percent listed this fact as the primary reason for their child working. Several contacts told Poloff that child labor has probably increased slightly in the past couple years due to inflation and continued difficulties in family members finding employment opportunities. The DOS survey also indicated that 85 percent of working children dropped out of school between the ages of 12 and 17.

¶16. (U) The most common risks faced by working children, according to a MOL survey on the worst forms of child labor released in February 2007, are heavy machinery, noise pollution, poor lighting, and exposure to chemicals. The same survey estimated that 13 percent of working children are subject to forced labor with the average number of hours worked per week at 42. Salaries were also significantly lower than the minimum wage of 150 JD (\$210) per month. The average monthly salary among working children was 81 JD (\$113) while 16 percent earned less than 50 JD (\$70) per month.

17) (U) Comment: Looking ahead, there are positive signs that the GOJ and civil society are committed to reinvigorating efforts to combat child labor. GOJ involvement in and commitment to the DOL-funded child labor project was cited as a source of optimism by many contacts. The project aims to withdraw 4,000 children from the worst forms of child labor, prevent another 4,000 from entering, increase public awareness of the issue, establish a national coordination mechanism, and strengthen the ability of national actors to fulfill their roles. The MOL's continued effort to improve labor inspection capacity and quality and the MOE's commitment to adopting and increasing non-formal education opportunities are also reasons for optimism. Post will continue to engage on and support the above initiatives as well as changes to national legislation required to give authorities the necessary tools to prevent and deter child labor. End Comment

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